

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELLEN SENISI, :
: Case No. 13 Civ. 3314 (LTS) (AJP)
Plaintiff, :
: **NOTICE OF MOTION**
v. :
JOHN WILEY & SONS, INC., :
: Defendant. :
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PLEASE TAKE NOTICE THAT, upon this Notice of Motion, the accompanying Memorandum of Law, the Declaration of Toby Butterfield dated April 30, 2015, plus the exhibits attached thereto, the Declaration of Lisa Suarez dated April 30, 2015, the Declaration of Ashima Aggarwal dated April 30, 2015, plus the exhibits attached thereto, Defendant's Statement of Undisputed Material Facts dated April 30, 2015, and all papers previously filed with the Court, Defendant John Wiley & Sons, Inc. ("Wiley") will move this Court, before the Honorable Laura Taylor Swain, United States District Judge, at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 12D, at a date and time to be determined by the Court, for partial summary judgment pursuant to Rule 56(a) of the Federal Rules of Civil Procedure.

Pursuant to the Court's Individual Rule of Practice 2.b., Wiley certifies that it used its best efforts to resolve informally with Plaintiff the matters raised by this submission. While the parties were able to resolve certain disputed issues in advance of filing this motion (*see* Dkt No.

167), the parties were unable to resolve the remaining issues that are addressed by this motion for partial summary judgment.

Date: New York, New York
April 30, 2015

FRANKFURT KURNIT KLEIN & SELZ,
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